



DB
9/13/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Tagg et al.
Serial No. : 09/913,763
Filed : August 17, 2001
For : LANTIBIOTIC
Art Unit : 1651
Examiner : Michael V. Meller

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SEP 11 2002

TECH CENTER 1600/2900

745 Fifth Avenue
New York, New York 10151

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on the date below.

Marilyn Matthes Brogan, Reg. No. 31,223

Name of Applicant, Assignee or Registered Representative

Marilyn M. Brogan
Signature

September 4, 2002

Date of Signature

AMENDMENT AND RESPONSE TO OFFICE ACTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Office Action dated June 6, 2002, which sets a three-month period for response.

AMENDMENT

It is respectfully requested that the application be amended without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows:

In the Claims

1. (Amended) An ~~isolated~~ antibacterial protein isolated from *S. salivarius* strain K12, on deposit at Deutsche Sammlung von Mikroorganismen Und Zellkulturen GmbH, Braunschweig, Germany, accession number DSM 13084, which has a molecular mass of

Streptococcus